

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM CUMMINGS,	:	Civ. No. 1:22-CV-1118
	:	
Plaintiff,	:	(Judge Mannion)
	:	
v.	:	(Magistrate Judge Carlson)
	:	
R. KRAMER, et al.,	:	
	:	
Defendants.	:	

MEMORANDUM AND ORDER

The background of this order is as follows:

This case was removed to federal court on July 18, 2022. (Doc. 1). The plaintiff, a state inmate who is proceeding *pro se*, subsequently has filed numerous documents in this case which purport to amend or supplement his complaint in a random, fragmentary and incomplete fashion. (Docs. 24, 27, 29, 33). We have repeatedly instructed Cummings that any motion to amend must comply with Local Rule 15.1 which provides as follows:

LR 15.1 Amended Pleadings.

(a) Proposed amendment to accompany the motion.

When a party files a motion requesting leave to file an amended pleading, the proposed amended pleading must be retyped or reprinted so that it will be complete in itself including exhibits and shall be filed on paper as

a separate document or, in the Electronic Filing System, as an attachment to the motion. If the motion is granted, the clerk shall forthwith file the amended pleading. Unless otherwise ordered, an amended pleading that does not add a new defendant shall be deemed to have been served for the purpose of determining the time for response under Fed. R. Civ. P. 15(a), on the date the court grants leave for its filing. A party granted leave to amend its pleading, when the amended pleading would add a new defendant, shall file and effect service of the amended pleading within thirty (30) days after the date of the Order granting leave for its filing.

(b) Highlighting of amendments.

The party filing the motion requesting leave to file an amended pleading shall provide: (1) the proposed amended pleading as set forth in subsection (a) of this rule, and (2) a copy of the original pleading in which stricken material has been lined through and any new material has been inserted and underlined or set forth in bold-faced type.

Local Rule 15.1.

None of Cummings' proffered amended or supplemental complaint meet the requirements of Rule 15.1. Because the proliferation of these filings violates our prior orders and impedes the orderly evaluation of the plaintiff's claims we denied the plaintiff's motions to file various separate supplemental and amended complaints, (Docs. 24, 27, 29, 33) without prejudice and ordered Cummings to submit a single, comprehensive and coherent amended complaint on or before **May 31, 2023.**

Cummings has now asked that we rescind the order, although Cummings' pleading makes it clear that he is now confusing the various filings he has submitted

in different cases, and apparently believes that an amended complaint which he filed in October of 2022 in another case, Cummings v. Weller, No. 1:22-cv-119, is also lodged in this case. Because Cummings' errs on this score his motion to rescind (Doc. 49) is DENIED. The plaintiff is ORDERED to submit a single, comprehensive and coherent amended complaint in this case on or before **May 31, 2023**.

SO ORDERED, this 9th day of May 2023.

/s/ Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge